

**REMARKS**

Reconsideration of this application is respectfully requested in view of the following remarks.

Claims 1-23 are pending in this application. For the reasons stated below, Applicant respectfully submits that all claims pending in this application are in condition for allowance.

In the Office Action mailed, claims 1, 5-6, 12, 16-17 and 23 were rejected under 35 U.S.C. § 102(e) as being anticipated by Willis et al. (U.S. Patent No. 6,584,082). Claims 2-4, 7-10, 13-15, and 18-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Willis (U.S. Patent No. 6,584,082), in view of Cragun et al. (U.S. Patent No. 5,973,683).

Regarding the rejection of independent claims 1 and 12, claims 1 and 12 recite, in part, "receiving from a network client...a request for publication of one or more media source programs in one or more encoding formats," and "in response to receiving the request, capturing the one or more traditional media source programs." Thus, claims 1 and 12 of the present application recite a method and computer-readable medium, respectively, for brokering. Requestors submit requests for publication of media source programs. The requests designate an encoding format for receiving the publication of the media source program. In this manner, requestors may receive publications in a format suitable for operation with their hardware and software. A requestor may request multiple media source programs. Also, a requestor may request multiple encoding formats. Different requestors may request different media source programs.

In contrast, Willis et al. discloses a method of multicasting. (See Willis et al., col. 1, lines 31-34.) Multicasting is a form of addressing wherein a source sends data to a server and the server sends one copy of the data to each of the destination computers. (See Willis et al., col. 1, lines 57-60.) That is, multicasting is the process of sending out an audio or video feed to a large, but finite, number of locations. As described at col. 2, lines 36-39 of Willis et al., multicasting allows "applications" to send one copy of information to a group address, and have the information transmitted to each recipient of the group requiring receipt of the information.

For example, Willis et al. describes at col. 8, lines 62-63 that data streams of audio or video data originate from local sources or international sources. The data is forwarded by a network, Internet, Intranet or a radio broadcast. (See Willis et al., col. 8, lines 64-66.) The data is forwarded to a satellite transmitter and eventually to one or more destinations 160. (See Willis et al., col. 8, line 66 to col. 9, line 5.)

Thus, Willis et al. allows applications to send a copy of information to a group address and have the information transmitted to each recipient. Data is not forwarded in response to a request from a destination 160, for example. In other words, Willis et al. does not disclose destination 160 requests a publication or that destination 160 requests a publication of one or more traditional source programs in one or more encoding formats. Willis et al. also does not disclose that data is captured in response to any such request, but rather that the data is captured from the satellite as it is received from the data source. Accordingly, Willis et al. does not disclose "receiving from a network client that is connected to the network a request" or capturing one or

more traditional media source programs "in response to receiving the request," as recited in independent claims 1 and 12.

Because Willis et al. does not teach each and every limitation of claims 1 and 12, the § 102(e) rejection of these claims should be withdrawn. The § 102(e) rejection of claims 5, 6, 16, 17 and 23 should be withdrawn as well, at least in view of their dependence from claims 1 and 12, respectively.

Cragun et al., which discloses a user-friendly method for controlling content displayed on a television, does not cure the deficiencies of Willis et al. Because a combination of Willis et al. and Cragun et al. fails to teach or suggest each and every recitation required by dependent claims 2-4, 7-10, 13-15 and 18-21, the § 103(a) rejection of these claims should be withdrawn.

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicant's undersigned representative at the number listed below.

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Respectfully submitted,

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Attachments:

MAO/TLH/rss